

Pages 1 - 6

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Jacqueline Scott Corley, Judge

UNITED STATES OF AMERICA)
)
Plaintiff,)
)
VS.) NO. CR11-0573 JSW
)
)
CHRISTINA LIEW,)
WALTER LIEW,)
Defendants.)
)

SAN FRANCISCO, CALIFORNIA
TUESDAY, SEPTEMBER 20, 2011

TRANSCRIPT OF PROCEEDINGS OF THE OFFICIAL ELECTRONIC SOUND
RECORDING (FTR TIME: 9:56 A.M.- 10:02 A.M.)

APPEARANCES:

For Plaintiff: United States Attorney's Office
 450 Golden Gate Avenue
 San Francisco, CA 94102

BY: **PETE AXELROD, ATTORNEY AT LAW**
 JOHN HEMANN, ATTORNEY AT LAW

For Defendant: Law Offices of Doron Weinberg
 523 Octavia Street
 San Francisco, CA 94102

BY: **DORON WEINBERG, ATTORNEY AT LAW**

For Defendant: Nolan, Armstrong, Barton LLP
 600 University Avenue
 Palo Alto, CA 94301

BY: **DORON WEINBERG, ATTORNEY AT LAW**

Transcribed:

Carrie E. McKee-Parks
Transcriber 510-637-9897
McKee-Parks65@att.net

1 Tuesday, September 20, 2011

9:56 a.m.

2 P R O C E E D I N G S

3 ---oo---

4 THE CLERK: -- CR 110573; USA v. Christina Liew and
5 Walter -- and USA v. Walter Liew (inaudible.)

6 MR. AXELROD: Good morning, your Honor. Pete Axelrod
7 John Hemann for the United States.

8 THE COURT: Morning.

9 MR. WEINBERG: Good morning, your Honor. Doron
10 Weinberg. I've appeared at this time to enter a general
11 appearance on behalf of Christina Liew.

12 THE COURT: Morning, Mr. Weinberg.

13 MR. NOLAN: Good morning, your Honor. Tom Nolan.
14 And I'm prepared to make a general appearance for Walter Liew,
15 who's present in custody.

16 THE COURT: Good morning, Mr. Nolan. Good morning,
17 Mr. Liew.

18 THE DEFENDANT: Morning, your Honor.

19 THE COURT: So we were here this morning for ID of
20 counsel and it seems that the counsel has now been arranged.
21 Mr. Noland, you'll be --

22 MR. NOLAN: Nolan.

23 THE COURT: Nolan. Mr. Nolan, will be representing
24 you, Mr. Liew, in this matter; and Mr. Weinberg will be
25 representing you, Ms. Liew, in this matter; okay? And you're

1 both detained; as I understand it?

2 MR. NOLAN: Yes.

3 THE COURT: And we have a hearing now that's already
4 scheduled in front of Judge Whyte.

5 UNIDENTIFIED SPEAKER: That's correct, this Thursday,
6 the 22nd.

7 THE COURT: This Thursday. Okay. So is there
8 anything further then? All right. So --

9 UNIDENTIFIED SPEAKER: I -- I'm not sure they've
10 entered pleas at this point.

11 THE COURT: Oh, I think you're right. Thank you.

12 UNIDENTIFIED SPEAKER: I think because we've had --

13 THE COURT: We were waiting for ID of counsel.

14 MR. AXELROD: Yeah.

15 UNIDENTIFIED SPEAKER: Your Honor, I think they've
16 both been advised of the charges and the penalties. We can
17 obviously do that again if you'd like.

18 THE COURT: Right. I'll just go through.

19 Ms. Liew and Mr. Liew, now that you have attorneys who are
20 representing you, we're going to go through the arraignment
21 process.

22 As you've been told before, a grand jury of the United
23 States has indicted you with certain felonies. Would the
24 Government please summarize the charges and the penalties.

25 MR. AXELROD: Yes, your Honor.

1 Count -- Walter Liew is charged in Counts 1, 3, and 4.
2 Count 1 is witness tampering in violation of Title 18, United
3 States Code Section 1512(b)(1). The maximum penalty for that
4 is 20 years in prison; three years of supervised release;
5 \$250,000 fine; and a \$100 mandatory special assessment.

6 He's also be charged in Counts 3 and 4. Count 3 is
7 conspiracy to tamper with witnesses and evidence in violation
8 of Title 18, United States Code Section 1512(k). The maximum
9 penalty for that offense is also 20 years in prison; three
10 years of supervised release; \$250,000 fine; and \$100 mandatory
11 special assessment.

12 Count 4 is a violation of 18 United States Code Section
13 1001(a)(2); false statement in a matter within the jurisdiction
14 of the Executive Branch. And the maximum penalty for that
15 offense is five years in prison; three years of supervised
16 release; a \$250,000 fine; \$100 special assessment.

17 Ms. Liew -- Christina Liew is charged in Counts 2 through 4
18 so that is the witness tampering in violation of 18 USC
19 1512(b)(1). And again, the maximum penalty is 20 years in
20 prison; three years of supervised release; \$250,000 fine; \$100
21 mandatory special assessment.

22 Count 2 and -- Count 2 is also witness tampering; the same
23 specific violation; the same penalties.

24 Count 3 is a conspiracy to tamper with witnesses, which is
25 the 18 USC Section 1512(k). And the same maximum penalty of

1 20 years in custody; three years supervised release; \$250,000
2 fine; and a \$100 mandatory special assessment.

3 And the Count 4, she's charged with a false statement in
4 violation of 1001; five years in custody; three years
5 supervised release; \$250,000 fine; and a \$100 special
6 assessment.

7 THE COURT: Mr. Nolan, do you waive detailed reading
8 of the charges?

9 MR. NOLAN: So waived.

10 THE COURT: And Mr. Weinberg, do you?

11 MR. WEINBERG: So waived, your Honor.

12 THE COURT: And Mr. Nolan, is your client prepared to
13 enter a plea?

14 MR. NOLAN: Yes, your Honor.

15 THE COURT: And what is it?

16 MR. NOLAN: Not guilty.

17 THE COURT: A not guilty plea will be entered on
18 behalf of Mr. Liew. And the record should reflect that he has
19 been arraigned.

20 And is Ms. Liew prepared to --

21 MR. WEINBERG: Not guilty as to all counts, your
22 Honor.

23 THE COURT: A plea of not guilty will be entered as
24 to Ms. Liew. And the record should reflect that she is now
25 arraigned. Okay.

1 And then your next appearance, Ms. Liew and Mr. Liew, is
2 going to be Thursday before Judge Whyte, who's the Court Judge
3 who will be hearing the case.

4 UNIDENTIFIED SPEAKER: At 2 o'clock?

5 THE COURT: 2 o'clock.

6 MR. AXELROD: And I think just one housekeeping
7 detail. I think time has been excluded under the Speedy Trial
8 Act until now based on the continuity of counsel and effective
9 preparation seems appropriate taken to be that for at least
10 another couple days until we're in front of Judge Whyte.

11 THE COURT: Okay. What is your position?

12 MR. NOLAN: No objection.

13 MR. WEINBERG: No objection.

14 THE COURT: Okay. I'll exclude the time at the
15 parties' request today. I find that the ends of justice are
16 served by excluding the time from September 20th and
17 September -- I mean, September 20th and September 22nd from
18 computation of the Speedy Trial Act because failure to exclude
19 the time would unreasonably defy defendant's continuity of
20 counsel and effective preparation of counsel.

21 The Court further finds the ends of justice served by
22 excluding the above time outweigh the best interest of the
23 public and the defendants in a speedy trial.

24 MR. NOLAN: Thank you.

25 MR. WEINBERG: Thank you.

1 UNIDENTIFIED SPEAKER: Thank you, your Honor.

2 THE COURT: Thank you.

3 UNIDENTIFIED SPEAKER: Thank you, your Honor.

4 UNIDENTIFIED SPEAKER: Thank you, your Honor.

5 (Proceedings concluded at 10:02 a.m.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF REPORTER

I certify that the foregoing is a true and correct transcript, to the best of my ability, of the pages of the official electronic sound recording provided to me by the U.S. District Court, Northern District of California, of the proceedings taken on the date and time previously stated in the above matter.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken; and, further, that I am not financially nor otherwise interested in the outcome of the action.

Carrie McKee-Parks

DATE 9-21-14

Carrie McKee-Parks
McKee-Parks65@att.net
510-637-9897

Date